

**SECOND AMENDED****APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office MAR 18 2002Returned to applicant for correction APR 05 2002Corrected application filed MAY 17 2002Map filed MAY 17 2002

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The applicant **Donald H. Tibbals and Joy M. Tibbals, Trustees of The Tibbals family Trust Agreement** hereby make application for permission to change the **point of diversion, manner of use and place of use of a portion** of water heretofore appropriated under **Permit #67133**

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1. The source of water is **underground**
2. The amount of water to be changed **1 acre foot**
3. The water to be used for **Quasi-Municipal**
4. The water heretofore permitted for **Irrigation & Domestic**
5. The water is to be diverted at the following point **NW¼ of the NE¼ of Section 28 Township 13 North, Range 25 East, M.D.M. and bears North 69°31'28" East a distance of 3741.82 feet from the West ¼ of Section 28**
6. The existing permitted point of diversion is located within **NW¼ of the NW¼ of Section 2, Township 13 North, Range 26 East, M.D.M. and bears South 16°09'53" East a distance of 1222.96 feet from the Northwest corner of Section 2**
7. Proposed place of use **A portion of the SE¼ of the NW¼ and the SW¼ of the NE¼ and NE¼ of the SW¼ and NW¼ of the SE¼ and SE¼ of the SW¼ and SW¼ of the SE¼ of Section 17 and the NE¼ of the NW¼ and NW¼ of the NE¼ of Section 20, Township 13 North, Range 25 East, M.D.M**
8. Existing place of use **A portion of the NW¼ of the NW¼ of Section 2, Township 13 North, Range 26 East, M.D.M (10,890 sq. ft. to be stripped)**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Well, Pump, Pipe & Storage**
12. Estimated cost of works **None**
13. Estimated time required to construct works **N/A (in place)**
14. Estimated time required to complete the application of water to beneficial use **2 years**

15. Remarks: 175 Residents 7 Commercial

By Rick P. Christian  
s/ Rick P. Christian  
P. O. Box 528  
Yerington, Nv. 89447

Compared sg/cmf lb/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 67133 is issued subject to the terms and conditions imposed in said Permit 67133 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 60702, 61718, and 68629 shall not exceed 402.81 acre-feet annually.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.006 cubic feet per second, but not to exceed 1.0 acre-foot annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 25, 2003

Proof of completion of work shall be filed before:

July 25, 2003

Water must be placed to beneficial use on or before:

June 25, 2004

Proof of the application of water to beneficial use shall be filed on or before:

July 25, 2004

Map in support of proof of beneficial use shall be filed on or before:

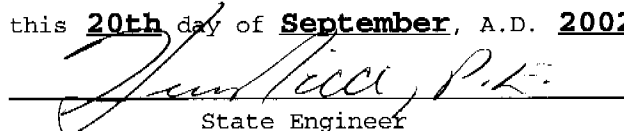
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 20th day of September, A.D. 2002

  
State Engineer

Completion of work filed AUG 04 2004

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_